

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA	:	
	:	
v.	:	
	:	No. 5:22-CR-53-CAR-CHW-3
LATONA MAE LAMBERT,	:	
	:	
Defendant.	:	
	:	

ORDER GRANTING UNOPPOSED MOTION TO CONTINUE TRIAL

Currently before the Court is the Government’s Unopposed Motion to Continue [Doc. 97] the pretrial conference scheduled for September 8, 2023, and the trial, which is set to begin on September 25, 2023, in Macon, Georgia.

On October 22, 2022, the Grand Jury returned a multi-defendant, multi-count indictment charging Defendant Lambert with Failure to Report Suspected Child Abuse. On October 19, 2022, Defendant was arrested, retained counsel, pled not guilty at her arraignment, and was released on an unsecured bond with conditions pending trial.

On June 6, 2023, the Government filed a Petition for Action on Conditions on Pretrial Release seeking to revoke Defendant’s pretrial release due to her conduct while on pretrial supervision. The next day, Defendant was arrested in the Southern District of South Carolina. At the pretrial release revocation hearing on June 14, 2023, the Court found Defendant violated the Order Setting Conditions of Release but did not revoke the order and released Defendant from custody. On July 10, 2023, Defendant retained

additional counsel, and on July 11, 2023, the Grand Jury returned a superseding indictment charging Defendant with two additional counts: Accessory after the Fact and Making False Statements.

Defendant filed a Request for Discovery on July 13, 2023, seeking the production of numerous items of discovery which were not in the Government's possession, custody, or control. On July 17, 2023, Defendant filed a motion to dismiss Count One of the superseding indictment, which is currently pending. Also on July 17, 2023, the parties met and conferred regarding Defendant's discovery requests.

The Government states that Defendant's various requests for her user accounts, profiles, and data have proven difficult (and potentially impossible in some cases) to retrieve because she is no longer employed at Warner Robins Air Force Base. The Government has been informed that certain data may be completely gone, and other data requires high-level administrative intervention by Air Force staff to determine whether it is retrievable. The parties met and conferred again on August 21, 2023, and the Government provided an update on its progress in locating the requested discovery.

The Government states that although diligent efforts have been made, it does not anticipate being able to satisfy Defendant's requests in time for her counsel to have meaningful review before trial, which is currently set to occur during the September term. Thus, additional time is needed for Defendant and her counsel to receive and review the requested discovery they state is necessary to the defense, conduct investigation, and engage in plea negotiations, if warranted. The Court finds the ends of justice served by

granting a continuance outweigh the interests of Defendant and the public in a speedy trial. Failure to grant a continuance would deny counsel reasonable time to address these matters and could result in a miscarriage of justice. Thus, the Government's Unopposed Motion to Continue [Doc. 97] is **GRANTED**, and **IT IS HEREBY ORDERED** that this case be continued until December 4, 2023, the next regularly scheduled term of Court for the Macon Division. The delay occasioned by this continuance shall be deemed excludable pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161.

SO ORDERED, this 28th day of August, 2023.

s/ C. Ashley Royal
C. ASHLEY ROYAL, SENIOR JUDGE
UNITED STATES DISTRICT COURT